

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe that I am the original and only inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RAPID METHODS OF MICROBIAL TYPING AND ENUMERATION

the specification of which: ☐ is attached hereto.
☒ was filed on: January 24, 2002
as Application No.: 10/053,871
and was amended on: _____ (if applicable).

I reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and also identified below any foreign application(s) for patent or inventors' certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Claim of Priority

Prior Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing (day, month, year)
60/263,761	25-1-2001

60/057,657	5-9-1997
------------	----------

Prior United States Application(s)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned
10/020,923	19-12-2001	Pending
09/148,491	4-9-1998	Patented (U.S. 6,344,332)

And I hereby appoint, both jointly and severally, as my attorneys-in-fact with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys, their registration numbers being listed after their names:

James Remenick, Registration No. 36,902; Barry E. Bretschneider, Registration No. 28,055; Alex Chartove, Registration No. 31,942; Scott W. Doyle, Registration No. 39,176; Kevin R. Spivak, Registration No. 43,148; Wayne C. Jaeschke, Jr., Registration No. 38,503; Jonathan Bockman, Registration No. 45,640; Raj S. Davé, Registration No. 42,465; James M. Denaro, Registration No. 54,063; Brian Fletcher, Registration No. 51,683; and Adam Keser, Registration No. 54,217.

All correspondence and telephone communications should be addressed to Morrison & Foerster, LLP; 1650 Tyson's Blvd., Suite 300, McLean, VA 22102; telephone number (703) 760-7700; facsimile number (703) 760-7777, which is also the address, telephone and facsimile numbers of each of the above listed attorneys.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Appln. No. 10/053,871

New Attorney Docket No.: 54442-20003.00

Signature _____ Date August ___, 2004

Full Name of

Inventor: Thacker, JAMES D.
 (Family Name) (First Given Name) (Second Given Name)

Citizenship: US

Residence: 713 Washington Street; Marietta, Ohio 45750

Post Office
Address: 713 Washington Street; Marietta, Ohio 45750